

Analysis of a sample showed that the article consisted essentially of boric acid (36.2 percent) zinc sulphate, aluminum sulphate, ammonium chloride, and small proportions of methyl salicylate, phenol, and menthol.

The article was alleged to be misbranded in that the statement on the label, "For treating wounds, cuts * * * ulcers; Use a teaspoonful of Sannette to a quart of warm water", was a statement regarding the curative or therapeutic effects of the article, and was false and fraudulent.

On September 5, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

23276. Misbranding of Prestolas. U. S. v. 22 Packages of Prestolas. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 33153. Sample no. 6334-B.)

Examination of the drug product involved in this case showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On August 1, 1934, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 22 packages of Prestolas at New York, N. Y., alleging that the article had been shipped in interstate commerce, on or about May 29, 1934, by the Union Capsule Co., from Bloomfield, N. J., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of capsules containing volatile oils, including pennyroyal oil, and savin oil (42 percent), and a fixed oil.

It was alleged in the libel that the article was misbranded in that the statements on the carton label, "For Treatment of Amenorrhea, Dysmenorrhea, or Painful and Irregular Menstruation", were false and fraudulent.

On August 24, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

23277. Misbranding of Epsotabs. U. S. v. 37 Dozen Packages, et al., of Epsotabs The Laxative. Decrees of condemnation. Portion of product released under bond to be relabeled. Remainder destroyed. (F. & D. nos. 33172, 33253. Sample nos. 2713-B, 4677-B.)

These cases involved shipments of a product labeled "Epsotabs", a designation conveying the impression that it was an Epsom salt preparation. Analysis showed the presence of phenolphthalein in one lot and phenolphthalein and aloin in the other lot, which drugs would be responsible for its principal therapeutic effect, Epsom salt being present in amounts which would have no appreciable laxative effect.

On August 6, 1934, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, a libel praying seizure and condemnation of 43 dozen packages of Epsotabs at Washington, D. C. On August 18, 1934, a libel was filed against 236 packages of Epsotabs at Columbus, Ohio. It was alleged in the libels that the article had been shipped in interstate commerce, by the Dill Co., from Norristown, Pa., in part on or about January 11, 1934, into the State of Ohio, and in part on or about July 20, 1934, into the District of Columbia, and that it was misbranded in violation of the Food and Drugs Act.

Analysis of a sample from each shipment showed that the article consisted of coated tablets containing in each approximately $1\frac{1}{2}$ grains of phenolphthalein, and magnesium sulphate equivalent to 4.9 grains (or 4.6 grains) of Epsom salt; the product in one shipment also contained aloin.

The libels charged that the article was misbranded in that the statement, "Epsotabs, The Laxative", borne on the label, was false and misleading, since it created the impression that the article was essentially a preparation of Epsom salt; whereas its content of Epsom salt was practically negligible, and its physiological effects, in one lot, were due to its content of phenolphthalein, a synthetic laxative drug derived from coal tar, and, in the other lot, to its content of phenolphthalein and aloin.

On October 12, 1934, no claim having been entered for the lot seized at Columbus, Ohio, judgment was entered ordering that it be destroyed. On October 24, 1934, the Dill Co. having appeared as claimant for the lot seized at Washington, D. C., judgment of condemnation was entered and it was ordered that the product be released under bond for relabeling under the supervision of this Department.

M. L. WILSON, *Acting Secretary of Agriculture.*

23278. Misbranding of Pepoil and Egg a Day. U. S. v. 4 Bottles of Pepoil, et al. Default decree of condemnation and destruction. (F. & D. nos. 33299, 33300. Sample nos. 41413-A, 41414-A, 41415-A.)

This case involved drug preparations, the labels of which contained unwarranted curative and therapeutic claims.

On September 13, 1934, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12 bottles of Pepoil and 17 packages or pails of Egg a Day, at Hesper, Iowa, alleging that the articles had been shipped in interstate commerce, on or about September 28, 1931, and December 6, 1932, by the Standard Chemical Manufacturing Co., from Omaha, Nebr., and charging misbranding in violation of the Food and Drugs Act as amended.

Analyses showed that the Pepoil consisted essentially of a phenolic compound such as creosote, a volatile oil such as terpineol, a sodium compound, 0.5 percent of alcohol, and water; and that the Egg a Day consisted essentially of calcium carbonate, sodium thiosulphate, sodium chloride, iron compounds including iron sulphate, a phosphate and small proportions of plant materials including nux vomica.

The articles were alleged to be misbranded in that the following statements in the labeling, regarding their curative and therapeutic effects, were false and fraudulent: (Pepoil, bottle) "Petoil * * * A Treatment for Building Up Poor Doing, Sick And Stunted Hogs And Poultry Especially When Weakened By Disease And Worms * * * The use of Standard Pepoil is recommended in the treatment of Flu. Thumps, Pneumonia, Necro, and other intestinal ailments and worms. For many of these diseases we recommend a specific treatment which should be followed with this treatment of Pepoil as indicated below. Hog Flu * * * put them on a 7-day Pepoil treatment * * * Thumps * * * follow for 7 days with this Pepoil Treatment. Pneumonia * * * give this Pepoil treatment for 7 days. Necro * * * put on a 7-day treatment of Pepoil. * * * Worms * * * Use Standard Pepoil as directed below for 10 to 12 days. * * * For Poor Doing Hogs and Runts—Use Standard Pepoil * * * The use of Standard Pepoil is recommended in the treatment of Colds, Roup, Pneumonia and Worms in poultry * * * For some of these diseases we recommend a specific treatment which should be followed with this Pepoil treatment. Roup * * * put them on a treatment of Standard Pepoil * * * Colds—Pneumonia: Treatment same as for Roup. Worms—Put on Standard Pepoil Treatment at once * * * It is well to repeat the Pepoil treatment occasionally as a worm control measure and for its general tonic effects"; (Egg a Day, carton, 2½-lb. size) "Egg a Day * * * Makes More Eggs * * * For best results in egg production * * * Feed * * * for maximum egg production. * * * 2 lbs. Standard Egg a Day."; (carton, 5-lb. size, and pail) "Egg a Day * * * For best results in egg production * * * Food * * * for maximum egg production. * * * 2 lbs. Standard Egg a Day"; (circular, all sizes) "Egg a Day You bought this package of Egg a Day because you want to get more eggs. The egg is the chief end of poultry production and the number of eggs a hen produces marks the difference between loss and profit. We want you to get the best results from the use of Egg a Day. We want your hens to make a profit for you. To get the most eggs you must follow these directions. We guarantee you will get more eggs if you follow these directions * * * 2 lbs. Egg a Day * * * Standard Egg a Day develops strong, healthy chickens and is especially recommended for them. * * * You will have fewer losses, better poultry, and the pullets will lay more eggs. * * * Under the stimulus of Egg a Day the initial cells from which the yolks are formed begin to grow. * * * The other necessary elements are supplied by Egg a Day in just the proper proportions for maximum egg production